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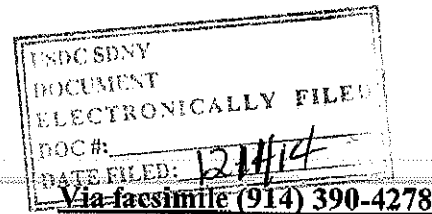
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PLEASE REPLY TO
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MEMO ENDORSED

December 10, 2014



Honorable Cathy Seibel
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: Bozella v. County of Dutchess
10 CIV 4917 (CS)

Dear Judge Seibel:

Our client, the County of Dutchess, respectfully requests an adjournment of the January 12, 2015 trial date. The basis for this request is that currently pending before Honorable Christine Sproat Supreme Court – Dutchess County is a declaratory judgment action regarding insurance coverage in the above referenced case. Judge Sproat had indicated at an October 29th conference that it was the Court's intention to have a decision on the declaratory judgment in or around the end of this year.

To date, the County's insurance carrier has declined coverage and declined to participate in settlement discussions. It is the County's position that a determination by the Court in the County's favor on the declaratory judgment action will facilitate further settlement discussions. However, in order to allow for the declaratory judgment decision and involvement of the insurance carrier, the County is requesting a one month adjournment of the January 12, 2015 trial date.

I have relayed this request to plaintiff's counsel seeking consent however counsel has declined our request.

Application ~~Granted~~ Denied, essentially for the reasons set forth in Mr. MacDonald's letter dated 12/11/14
So Ordered.
Cathy Seibel
Cathy Seibel, U.S.D.J.
Dated: 12/11/14

Thank you for your consideration.

Respectfully,



MICHAEL K. BURKE

Cc: Honorable Judith C. McCarthy (via facsimile (914) 390-4129)
Ross Firsenbaum, Esq. (via facsimile (212) 230-8888)
James Fedorchak, Esq., County Attorney (via email)
Louis M. Freeman, Esq. (via email)